

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

HUMBERTO GARCIA,

Defendant.

No. 2:20-cr-00197-RAJ

ORDER SETTING
BRIEFING SCHEDULE

Based upon the Partially Stipulated Motion filed by the United States, and the representations made therein,

IT IS HEREBY ORDERED that the United States of America and Humberto Garcia shall submit their response and reply briefs regarding the Motion to Suppress Evidence, Dkt. 267, and Motion in Limine, Dkt. 268, as follows:

- The United States' responses to the motions shall be filed no later than March 18, 2022.
- Defendant Humberto Garcia's reply shall be filed no later than March 24, 2022.
- The motions are renoted for March 25, 2022.
- Should the Court grant an evidentiary suppression hearing, it will be conducted on Monday, April 11, 2022 at 9:00 a.m.
- The pretrial conference will be held either at the conclusion of the suppression hearing, or if the Court declines to conduct a suppression hearing, the pretrial conference will be held on Monday, April 11, 2022 at 9:00 a.m.

- The Court declines the request to set a status hearing the week of March 14, 2022.

The Court notes that defense counsel filed Defendant's pretrial motions on February 24, 2022, the deadline to do so, noting the motions for five Fridays after the filing date (rather than the customary two Fridays), presumably to accommodate his own unavailability from February 25, 2022 through March 14, 2022. As set forth in the government's motion to adjust briefing schedule, counsel discussed a proposed modified schedule, but then defense counsel failed to communicate further and finalize the parties' agreement prior to his unavailability.

While the proposed schedule may be fair to the parties, it is not fair to the Court. With its tremendously heavy caseload and congested hearing and trial schedule, the earliest the Court may accommodate a potential suppression hearing is a mere week before the April 18, 2022 trial date.

The Court sets the pretrial motions deadline sufficiently in advance of trial to afford it the opportunity to carefully consider the parties' briefing, to schedule an evidentiary hearing if necessary, and for the parties to have time to take the Court's rulings on pretrial motions into consideration in efforts to either resolve the case or prepare for trial. Counsel has made that impossible in this case. The Court will not tolerate future disregard of this case management principle.

DATED this 3rd day of March, 2022.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones
United States District Judge